HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE S. ANANDA REDDY

WRIT PETITION No.18768 of 1996

Date: 18-06-2007.

Between :

M/s.Spices Trading Corporation Ltd.,
rep. by its Chairman & Managing Director.

.....Petitioner

And

The Commercial Tax Officer, Begumbazar, Hyderabad & another.

.....Respondents.

HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE S. ANANDA REDDY

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ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned counsel for the parties.

This writ petition is in a short compass. The grievance of the petitioner is that he has supplied certain items to Tirumala Tirupathi Devasthanam (TTD), but deduction of tax was made at source and the tax collected was reimbursed to the Commercial Tax Department, therefore, he was entitled to refund as TTD is exempt from sales tax. On the last occasion we had asked the learned Government Pleader to get instructions. He submitted certain documents to show that the petitioner had charged tax from TTD and had quoted all prices inclusive of sales tax, therefore, even if TTD was exempt from sales tax, if the petitioner has collected tax from TTD, he would not be entitled to any refund. The petitioner's application for refund is pending before the authorities concerned. We grant four weeks time to the respondents to pass a reasoned order in the said application and communicate it to the petitioner. The petitioner be heard before the order is passed.

Writ petition is disposed of accordingly.

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BILAL NAZKI, J

18th June 2007

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S. ANANDA REDDY, J

ajr